

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

LANA JOHNSON

V.

VERTEX AEROSPACE LLC

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§
§

NO. 4:23-cv-00338

DEFENDANT VERTEX AEROSPACE LLC’S NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§1331, 1332, 1441, Defendant Vertex Aerospace LLC (“Vertex” or “Defendant”) files this Notice of Removal of the civil action originally filed in County Court of Law No. 3 of Tarrant County, Texas, entitled *Lana Johnson v. Vertex Aerospace LLC*, Cause No. 2023-001850-3 (the “State Court Action”). In support of this Notice of Removal, Vertex states as follows:

1. On March 9, 2023, Plaintiff Lana Johnson (“Plaintiff”) filed her Original Petition in the State Court Action. Exhibit A. Plaintiff served Vertex with citation and copy of Plaintiff’s Original Petition on March 16, 2023. Exhibit B.

2. Removal of the State Court Action is proper on the basis of federal question jurisdiction. 28 U.S.C. §1331. Specifically, Plaintiff asserts various causes of action against Vertex including gender discrimination, age discrimination, and sexual harassment and retaliation in violation of Title VII of the Civil Rights Act of 1964 and the Age Discrimination in Employment Act of 1967. Exhibit A, ¶ III.

3. Pursuant to 29 U.S.C. §1331, the United States District Courts have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States. Therefore, the United States District Court for the Northern District of Texas has original federal

question jurisdiction under 28 U.S.C. § 1331, and this action may be removed to this Court pursuant to 28 U.S.C. § 1441. Furthermore, this Court has pendent jurisdiction over Plaintiff's state law claims.

4. This Court also has subject matter jurisdiction in this case based upon diversity of citizenship. *See* 28 U.S.C. § 1332. Diversity jurisdiction exists in a civil matter when the amount in controversy exceeds \$75,000, exclusive of interest and costs, and when none of the parties in interest properly joined and served as defendants are citizens of the same state as plaintiff. *Id.* § 1332(a)(1), 1441(b). Both requirements for subject matter jurisdiction based on diversity jurisdiction are met in this case. First, complete diversity of citizenship exists between Plaintiff and Vertex. According to the Original Petition, Plaintiff is domiciled in Tarrant County, Texas. Exhibit A, ¶ II. Vertex is organized under the laws of the state of Delaware, with its principal place of business in Madison, Mississippi. Second, the amount in controversy in this action exceeds \$75,000, exclusive of interest and costs. *Id.* at ¶ I.

5. Removal of the State Court Action is timely because this Notice of Removal is filed within 30 days of the date upon which the citation for the State Court Action was served on Vertex. *See* 28 U.S.C. § 1446; Exhibit B.

6. Copies of all filings in the State Court Action are attached as required by 28 U.S.C. § 1446(a). Exhibit A.

7. Vertex will promptly notify County Court of Law No. 3 of Tarrant County, Texas of the removal of the State Court Action to federal court.

Based on the foregoing, Vertex removes the State Court Action to the United States District Court for the Northern District of Texas, Fort Worth Division, and requests any and all such further relief and remedies to which it may be entitled.

Respectfully submitted,

By: /s/ Claudine G. Jackson
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**ATTORNEYS FOR DEFENDANT
VERTEX AEROSPACE LLC**

CERTIFICATE OF SERVICE

On this 5th day of April, 2023, I electronically filed the foregoing document with the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. I therefore certify that I have served all counsel of record electronically or by another manner authorized by the Federal Rules of Civil Procedure 5(b)(2), as follows:

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By: /s/ Claudine G. Jackson
Claudine G. Jackson